IN THE HIGH COURT OF BOMBAY AT GOA
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WRIT PETITION NO. 381 OF 2003

1. Sophia Educational
Society, c/o Sophia
English School, New-
Vaddem, Vasco da Gama,
Goa, through its President,
New Vaddem, Vasco da Gama,
Goa, and

2. Sophia English School,
through its Chairman,
Shri Francis Fernandes,
New Vaddem, Vasco
da Gama, Goa. ....Petitioners.

Versus

1. State of Goa, through
the Director of Education,
18th June Road, Sushila
Building, Panaji, Goa,

2. Santosh R. Fadte, r/o
House No.187/2, Near
Vadem Lake, Vadem,
Vasco da Gama, and

3. D. L. Kolhapurkar, r/o
House No. 205-H, New
Vadem, Near Ganesh Temple,
Vasco da Gama. ....Respondents.

Shri J. Godinho and Shri Samir Taleigaokar, advocates for the petitioners.

Shri S. R.Rivonkar, Government Advocate for respondent no.1.

Shri S. D. Lotlikar, Senior Advocate with Shri A.D. Bhobe, advocate for respondent nos.2 and 3.

CORAM : R. J. KOCHAR &
P. V. HARDAS, JJ.

DATE : 16th September, 2003.

ORAL ORDER (Per Kochar, J.)

We have heard the learned counsel for the parties. We have perused the proceedings. According to us the

following order would meet the ends of justice and resolve the disputes between the parties. According to us, General Elections alone would set right whatever grievance the concerned parties have voiced in the present petition.

(1) The District Registrar shall conduct the election to the Managing Committee of the Society, namely Sofia Education Society, Vasco da Gama, within a period of three months from today, after duly notifying all the members of the Society, in accordance with the constitution and the election rules.

(2) The District Registrar shall decide all the questions in respect of the eligibility of the membership of the Society and eligibility of the members who vote in the election. All such challenges in respect of the eligibility shall be raised within one week from the date of declaration of the elections and the District Registrar shall decide the disputes within one week from the date of receipt of the objections, in accordance with law, after hearing the parties. His decision shall be final.

(3) The Director of Education shall accept the Managing Committee thus elected as the lawful Managing Committee of the Society and shall continue to function as provided under the constitution.

(4) Until the newly elected Managing Committee takes charge of the affairs of the Society, the present Managing Committee shall not take any major policy decision, nor will it incur major expenses, without the express prior permission of the District Registrar, or the concerned competent authority.

(5) The Writ Petition stands disposed of as above.

R. J. KOCHAR,J.

P. V. HARDAS, J.

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